

COBLENTZ, PATCH, DUFFY & BASS LLP
ONE FERRY BUILDING, SUITE 200, SAN FRANCISCO, CA 94111-4213
(415) 391-4800 • FAX (415) 989-1663

NAOMI RUSTOMJEE (State Bar # 142088)
JULIA D. GREER (State Bar # 200479)
COBLENTZ, PATCH, DUFFY & BASS, LLP
One Ferry Building, Suite 200
San Francisco, California 94111-4213
Telephone: (415) 391-4800
Facsimile: (415) 989-1663
Email: ef-nxr@cpdb.com, ef-jdg@cpdb.com

Attorneys for Plaintiff
GLOBAL SOFTWARE RESOURCES, INC.,
a California corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GLOBAL SOFTWARE RESOURCES,
INC., a California corporation,

Plaintiff,

vs.

AKHIL JHAVERI, an individual,

Defendant.

Case No. CV 06-03054 VRW

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE HEARING ON
MOTION TO DISMISS FIRST AMENDED
COMPLAINT**

Scheduled Hearing Date/Time: 8/24/06; 2 p.m.

*Requested Continuance of Hearing
Date/Time: 10/5/06; 2 p.m.*

Judge: Hon. Chief Judge Vaughn R. Walker
Dept.: Courtroom 6, 17th Floor

Pursuant to Civil Local Rule 7-12, Plaintiff Global Software Resources, Inc. ("Plaintiff") and Defendant Akhil Jhaveri ("Defendant"), by and through their undersigned counsel, submit the following Stipulation and *[Proposed]* Order To Continue Hearing on Motion to Dismiss First Amended Complaint:

WHEREAS, on or about May 26, 2006, Defendant filed a Notice of Motion and Motion to Dismiss First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted Under F.R.C.P. 12(b)(6) ("Motion to Dismiss"), originally scheduled for hearing before this Court on July 27, 2006, which hearing date and was subsequently continued, by agreement of the parties, to the currently scheduled date of August 24, 2006;

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1 WHEREAS, Plaintiff and Defendant are, and intend to remain, diligently engaged in
2 settlement negotiations that both parties believe, in good faith, should resolve their dispute in its
3 entirety;

4 WHEREAS, Plaintiff and Defendant expect that a reasonable continuance of the hearing
5 on the Motion to Dismiss (and a corresponding extension of time for the preparation and filing of
6 their respective briefing papers) while they conclude their settlement negotiations and, in the
7 event of a prospective settlement, their preparation of the settlement documentation, will avoid
8 any needless expenditure of time and other resources by the parties and the Court;

9 WHEREAS, the parties have not, either separately or jointly, previously requested the
10 Court to order a continuance of the hearing on the Motion to Dismiss, and, furthermore, do not
11 now seek said order for delay or any other improper purpose.

12 **THEREFORE, THE PARTIES HEREBY STIPULATE THAT:**

- 13 1. The hearing on the Motion to Dismiss should be continued by the Court from
14 2:00 p.m. on August 24, 2006 to 2:00 p.m. on October 5, 2006;
- 15 2. Plaintiff's Opposition to the Motion to Dismiss should be filed and served on or
16 before September 14, 2006; and
- 17 3. Defendant's Reply to the Motion to Dismiss should be filed and served on or
18 before September 28, 2006.

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IT IS SO STIPULATED.

Dated: July 18, 2006

COBLENTZ, PATCH, DUFFY & BASS, LLP

By: /s/ Naomi Rustomjee
NAOMI RUSTOMJEE
Attorneys for Plaintiff
GLOBAL SOFTWARE RESOURCES, INC.

Dated: July ____, 2006

LAW OFFICES OF JOHN P. LEWIS, JR.

By: _____
JOHN P. LEWIS, JR.
Attorneys for Defendant
AKHIL JHAVERI

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July ____, 2006

HONORABLE CHIEF JUDGE
VAUGHN R. WALKER
United States District Court

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IT IS SO STIPULATED.

Dated: July ____, 2006

COBLENTZ, PATCH, DUFFY & BASS, LLP

By: _____

NAOMI RUSTOMJEE
Attorneys for Plaintiff
GLOBAL SOFTWARE RESOURCES, INC.

Dated: July 18, 2006

LAW OFFICES OF JOHN P. LEWIS, JR.

By: _____

JOHN P. LEWIS, JR.
Attorneys for Defendant
AKHIL JHAVERI

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 21, 2006



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